

REMARKS/ARGUMENTS

1. Applicants acknowledge with appreciation the courtesy extended by Examiner Martin of a telephone with Applicants' Attorney Jeffrey Klayman on April 14, 2005 to discuss the Office action of January 14, 2005. Mr. Klayman pointed out that the subject patent application claims priority to a provisional patent application filed May 22, 2000, which predates the publication of the Kato reference. Therefore, the Kato reference is not prior art to the subject patent application. Examiner Martin concurred.
2. The Examiner rejected claims 1-13, 16, 18, 27, 29-43, 48-54, and 87-91 as being anticipated by Kato alone or in combination with Stover, but indicated that claims 44-47 include allowable subject matter. Applicants respectfully submit that all claims are allowable over Kato (both alone and in combination with Stover) because Kato is not prior art to the subject patent application and therefore is not a proper prior art reference for the purposes of 35 U.S.C. 102(a) or 103(a). Applicants note that the subject patent application was filed on May 22, 2001, but claims priority from a provisional patent application filed on May 22, 2000 that sufficiently discloses the claimed invention. Thus, per 35 U.S.C. section 119(e)(1), the subject patent application is treated as though it was filed on the provisional application filing date. The Kato reference was published on October 7, 2000, more than four months after the provisional application filing date. Thus, Kato is not a proper prior art reference for the purposes of 35 U.S.C. 102(a) or 103(a).

3. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

Respectfully submitted,



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